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TO: Docket Control  
Arizona Corporation Commission

AZ CORP COMMISSION  
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FROM: Deborah R. Scott  
Director  
Utilities Division

DATE: December 14, 2000

RE: IN THE MATTER OF THE REQUEST OF CNG COMMUNICATIONS, INC.  
FOR DENIAL OF ITS APPLICATION FOR A CERTIFICATE OF  
CONVENIENCE AND NECESSITY (DOCKET NO. T-03797A-99-0591)

Attached is the Staff Report for the above referenced application. Staff is recommending denial of CNG Communications application for a CC&N without a hearing.

Originator: Anthony Gatto

Attachment: Original and Ten Copies

STAFF REPORT  
UTILITIES DIVISION  
ARIZONA CORPORATION COMMISSION

CNG COMMUNICATIONS INC.


DOCKET NO. T-03836A-00-0078

IN THE MATTER OF THE DENIAL OF THE APPLICATION OF  
CNG COMMUNICATIONS, INC.  
FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY

December 14, 2000

## STAFF ACKNOWLEDGEMENT

The Staff member designated below contributed elements of this Staff Report.



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Anthony Gatto  
Economist II

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Introduction:

On October 19, 1999 CNG Communications, Inc. ("CNG" or "Applicant") filed with the Commission an Application for a Certificate of Convenience and Necessity ("Certificate").

Background and Staff Analysis:

CNG was sent a Data Requests on April 28, 2000 and again on June 22, 2000. On September 19, 2000 the Applicant was sent a Fair Value assessment letter. The docketed correspondence required the Applicant to submit responses to the Docket Control Center within 71 days. CNG was notified in the correspondence that failure to respond within 71 days of the date on this letter would result in Staff's recommendation that the Application be denied. Nevertheless, CNG failed to respond to docket a response or request a further extension.

Since CNG failed to respond to these Data Requests within 71 days (November 30, 2000), Staff believes that denial of this application for a Certificate is in the public interest.

Recommendations:

Staff recommends denial of CNG application for a Certificate of Convenience and Necessity without prejudice.